

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

SILICON CRYSTAL TECHNOLOGY,
LLC, et al.,

Plaintiffs,

v.

RTI AMERICA, INC., et al.,

Defendants.

2:10-cv-01710-PMP-PAL

O R D E R


Having considered the arguments of counsel presented April 11, 2011 on Defendant/Counterclaimant RTI America, Inc.'s fully briefed Motion for Order to Show Cause Why a Writ of Possession Should Not Issue and For Temporary Restraining Order (Doc. #10), the Court finds as follows:

1. Defendant/Counterclaimant RTI has not shown a reasonable probability of prevailing on its claim that it is lawfully entitled to possession of the assets at issue as required by N.R.S. 31.850;
2. That the Asset Sale Agreement entered on or about December 24, 2009 provides no express right to repossession of the assets at issue upon default under the Asset Sale Agreement;
3. That RTI cannot demonstrate that it will suffer irreparable harm, and has an adequate remedy at law available in the form of money damages.

///

1 **IT IS THEREFORE ORDERED** that Defendant/Counterclaimant RTI
2 America, Inc.'s Motion for Order to Show Cause Why a Writ of Possession Should Not
3 Issue and For Temporary Restraining Order (Doc. #10) is **DENIED**.

4 DATED: April 12, 2011.

5
6 
7 PHILIP M. PRO
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26